

Expedited Bill No. 36-17
Concerning: Taxation – Development
Impact Tax – Exemptions –
Amendments
Revised: January 18, 2018 Draft No. 6
Introduced: October 31, 2017
Expires: _____
Enacted: February 6, 2018
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Floreen

AN EXPEDITED ACT to:

- (1) amend the applicability provision of certain development impact taxes; and
- (2) generally amend the law governing development impact taxes.

By amending

2015 Laws of Montgomery County, Chapter 37

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 2 of Chapter 37 of the 2015 Laws of Montgomery County**
2 **is amended as follows:**

3 **Sec. 2. Applicability.**

4 (a) Except as provided in paragraph (b) or (c), County Code Section 52-
5 41(g)(5), formerly 52-49(g)(5), and Section 52-54(c)(5), formerly 52-
6 89(c)(5), both inserted by Section 1 of this Act, do not apply to any
7 development which received preliminary subdivision plan approval or
8 site plan approval (or a similar approval in a municipality) before [[this
9 Act took effect]] October 22, 2015.

10 (b) If [[an approved]] a development approved before October 22, 2015 is
11 amended any time thereafter to include additional dwelling units and at
12 least 25% of the additional dwelling units are exempt under paragraph
13 (1), (2), (3), or (4) of Section 52-54(c), or any combination of them, then
14 Section 52-41(g)(5) and Section 52-54(c)(5), apply to the additional
15 units.

16 (c) If the relevant preliminary subdivision plan was approved before January
17 1, 2008, Sections 52-41(g)(5) and 52-54(c) apply to building permit
18 applications for the unbuilt portion of the development.

19 **Sec. 2. Expedited Effective Date.**

20 The Council declares that this legislation is necessary for the immediate
21 protection of the public interest. This Act takes effect on the date on which it becomes
22 law.

Approved:



2-7-18

Hans D. Riemer, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Megan Davey Limarzi, Esq., Clerk of the Council

Date